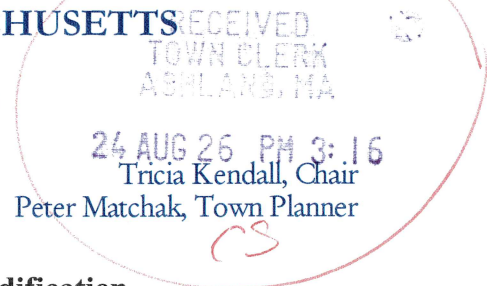


TEL.: (508)881-0100x7927
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TOWN OF ASHLAND MASSACHUSETTS
OFFICE OF
PLANNING BOARD
101 MAIN STREET



Certificate of Approval – Special Permit Modification
T-Mobile Northeast, LLC
24 Tower Road, Assessors Map 20, Lot 80
Ashland, Massachusetts

August 22, 2024

In Accordance with Massachusetts General Law (MGL), Chapter 40A (The Zoning Act) and Chapter 282, Section 6.4 (Wireless Communication Facilities) the Planning Board (the “Board”) received an application on September 18, 2023 (the “Application”) and subsequently held a public hearing for the applicant: T Mobile Northeast LLC, 10 Commerce Way, Suite B, Norton, MA 02776 C/O Adam F. Braillard, Esq., Prince Lobel Tye, LLC One International Place, Suite 3700, Boston, MA 02110. The applicant seeks to modify the existing special permit proposing the removal and replacement of antennas and ancillary equipment on existing mono pole running through the existing / decommissioned water tank. The applicant seeks to remove and reinstall six (6) antennas at the same height on the mono pole tower. The equipment will be aesthetically consistent with the existing structure and antenna array. The proposal includes the installation of 5G-capable equipment. The property is located 24 Tower Road, Assessors Map 20, Lot 80, in the Residential “A” Zoning District.

The Public Hearing and continuances were held pursuant to notice published in the Metro-West Daily News on Wednesday, July 10, 2024 and Wednesday, July 17, 2024 and mailed to parties of interest within 300ft.

The Planning Board opened a public discussion of the aforesaid application on July 25, 2024. The public hearing continued to August 22, 2024. The public hearing was closed on August 22, 2024. The Planning Board public hearing was held via a hybrid meeting combining an in person and zoom video conference in full compliance with Massachusetts Open Meeting guidelines. Agendas and meeting material were available on the Town of Ashland website. Members of the Planning Board who sat on this public meeting were Tricia Kendall (Chair), Anna Tesmenitsky (Vice Chair), Catherine Jurczyk (Clerk), and Deepa Venkat (Member).

Voting members of the Planning Board for this application were Tricia Kendall, Anna Tesmenitsky, Catherine Jurczyk, and Deepa Venkat.

Documents of Record

The application packet stamped at the Town Clerk’s Office on September 18, 2023 contained:

- Application for Special Permit Modification dated June 20, 2024.
- Application Letter dated May 30, 2024.
Re: Eligible Facilities Request pursuant to Section 6409 of the Spectrum Act and an Application for Special Permit Modification, in the Alternative.
Property Address: 24 Tower Road, Ashland, MA (the “Property”).
Applicant: T-Mobile Northeast, LLC.
- Certified Abutters List for the Town of Ashland.
- Set of Plans titled “Site Name BN138/TWR RD WT RFP”, Site ID: 4BN0138A; Address: 24 Tower Road, Ashland, MA 01721. Plans prepared by Advanced Engineering Group, P.C., and Centerline Communications. Plans dated Centerline Engineering Services, 750 W Center St., Suite 301, West Bridgewater, MA 02379. Holding a revision date of February 29, 2024 signed and stamped by Derek J. Creaser, Civil P.E., No. 49195, Commonwealth of Massachusetts Registered Professional Engineer.

Sheet:	Description:	Revision Date
T-1	Title Sheet	2/29/2024
GN-1	General Notes	2/29/2024
A-1	Compound Plan	2/29/2024
A-2	Equipment Layout	2/29/2024
A-3	Equipment Detail	2/29/2024
A-4	East Elevation	2/29/2024
A-5	Antenna Plan and Schedule	2/29/2024
SN-1	Structural Notes & Special Inspections	2/29/2024
S-1	Antenna & RRU Mounting Details	2/29/2024
S-2	Structural Details	2/29/2024
G-1	Grounding, One Line Diagrams	2/29/2024

- Revised Structural Analysis Report for site ID: 4BN0138A; Site Name: BN138/Twr Rd WT RFP; Project Name: Anchor; Address: 24 Tower Road, Ashland, MA 01721. Report completed by Centerline Communications. Client: T-Mobile Northeast, LLC. Document dated 03/21/2023 Revision 2.
- Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report; T-Mobile Water Tank Facility. Site ID: 4Bn0138A; Site Name BN138/Twr Rd WT RFP 24 Tower Road, Ashland, MA 01721. Report dated 4/2/2024.
- Ashland Zoning Board of Appeals Hearing Number: 98-12 Special Permit Decision record as book: 29507 page: 060 within the Southern Middlesex Registry of Deeds.

24 Tower Road Special Permit Modification
T-Mobile Northeast, LLC
Planning Board Decision

- Ashland Zoning Board of Appeals Hearing Number: 08-02 and 08-04 Special Permit and Variance Decision record as book: 51629 page: 569 within the Southern Middlesex Registry of Deeds.
- Lease Agreement between the Town of Ashland and Omnipoint Communications, Inc. Signed by John Petrin, Ashland Town Manager.
- Federal Communication Commission, Radio Station Authorization. Licensee: T-Mobile License, LLC. Grant date 05-30-2019 with Expiration date of 06-13-2029.
- Letter addressed to Centerline Communication Subject: T-Mobile Upgrade on Tower Road Peer Review Revision from Doug Small, Ashland DPW Director dated January 25, 2024.
- Peer Review Letter dated May 23, 2024 addressed Mr. Peter Matchak, Town Planner / Planning Director. RE: T-Mobile Upgrade Tower Road Construction Phase Proposal. Letter signed by Greg J. Eldridge, P.E. Vice President – Senior Project Manager of Haley Ward.
- Email from Adam F. Braillard, Price Lobel Tye LLP dated July 26, 2024 filed with the Ashland Town Clerk on July 29, 2024. Re Extension of Public Hearing.
- General Law Chapter 39 Section 23D; Mullins Rule Affidavit signed by Deepa Venkat, Planning Board Member on Aug 26, 2024.
- Email from Lisa Mead, Ashland Town Counsel. Re: Ashland Cell Tower_20 Pondarosa Rd dated December 8, 2020.
- Resident emails received by the Planning Board regarding the application.

Documents of Record Subject to the Following Facts, Findings and Conditions

As used herein, the term “Applicant” shall mean the Applicant, its heirs, successors and assignees and the term “Board” shall mean the Planning Board, whoever its members shall be from time to time.

Facts and Findings

Based on the evidence presented by the Applicant, the Board makes the following findings outlined in Chapter 282, Section 9.4 (Wireless Communication Facilities) of the Ashland Zoning Bylaws:

1. The applicant seeks to modify the existing special permits and granted by the Zoning Board of Appeals granted in 1998. The applicant shall remove and replace six existing antennas and ancillary equipment on the existing mono pole running through the decommissioned water tank. The equipment will be aesthetically consistent with the existing structure and antenna array. The proposal includes the installation of 5G-capable equipment.
2. 47 US Code §1455(a) and 47 C.F.R. §1/6100(b) requires permitting authorities to approve an eligible facilities request. This modification is an eligible request.
3. The proposed modifications will not extend above the current height of the water tank.

Conditions

1. No work shall occur on the locus, nor shall any building permits issue, until the Applicant has first obtained all necessary permits from all municipal town departments including but not limited to the Ashland Building Office.
2. Safety instructions for addressing fire-based issues at this location shall be placed in Ashland Fire Department apparatus to an extent deemed reasonable by the Department.
3. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Construction activities shall not commence on any day before 7:00 AM and shall not continue beyond 7:00 PM. There shall be no construction activities on any Sunday or federal legal holidays. All vehicles shall park on the locus thus keeping the public way open for all traffic.
4. Prior to the issuance of building permits the Applicant shall provide the name and contact information of the contractor on site. Furthermore, the Applicant shall provide the Town of Ashland with emergency contact information for site supervision.
5. This approval decision and approved plans shall be recorded at the South Middlesex Registry of Deeds. A copy of the recorded documents and approved plans bearing the date of recording and the book and page number shall be delivered to both the Planning and Building Departments prior to the issuance of all town permits and the commencement of work.
6. In accordance with Section 9.3.8 of the Zoning Bylaw, a special permit shall lapse after two (2) years from the grant thereof if a substantial use thereof or construction thereunder has not sooner commenced except for good cause

Decision

Following a presentation by the Applicant's agent, Adam F. Braillard, Esq., and a review by Board members, the Board voted 4-0 to approve the special permit modification incorporating all of the Conditions noted above, as substantially shown on plans titled "Site Name BN138/TWR RD WT RFP", Site ID: 4BN0138A; Address: 24 Tower Road, Ashland, MA 01721. Plans prepared by Advanced Engineering Group, P.C., and Centerline Communications. Plans dated Centerline Engineering Services, 750 W Center St., Suite 301, West Bridgewater, MA 02379. Holding a revision date of February 29, 2024 signed and stamped by Derek J. Creaser, Civil P.E., No. 49195, Commonwealth of Massachusetts Registered Professional Engineer.

24 Tower Road Special Permit Modification
T-Mobile Northeast, LLC
Planning Board Decision

Planning Board Vote:

Special Permit Modification Approval, Section 9.3 (Chapter 282, Section 6.4 (Wireless
Communication Facilities)
T-Mobile Northeast, LLC
24 Tower Road, Assessors Map 20, Lot 80

Vote: Approved (4-0-0)

VOTE: (Y) Tricia Kendall, Chair (Y) Anna Tesmenitsky, Vice Chair

(Y) Catherine Jurczyk, Clerk

(Y) Deepa Venkat, Member

(A) Marcelo Arjona, Member

(A) Amanda Hayes, Associate Member

*(A) = Absent or not present during the entire hearing process and therefore not eligible
to vote.*

(NA) = Associate Member no vote cast

(R) = Recused from Public Hearing


By a 5-0-0 vote, the Planning Board approves the Special Permit Modification under
Section 9.3 (Chapter 282, Section 6.4 (Wireless Communication Facilities)

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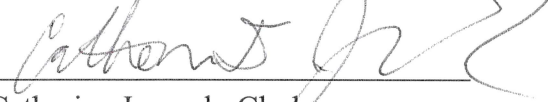
Town of Ashland Planning Board




Tricia Kendall, Chair



Anna Tesmenitsky, Vice Chair



Catherine Jurczyk, Clerk



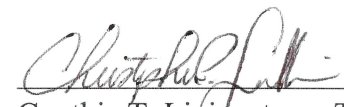
Deepa Venkat, Member

Marcelo Arjona, Member

Amanda Hayes, Associate Member

Decision filed with the Town Clerk on:

Date: AUGUST 26, 2024



~~Cynthia T. Livingstone, Town Clerk~~
CHRISTOPHER P. SULLIVAN, DEPUTY TOWN CLERK

In accordance with Section 11 of Chapter 40A, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Ashland Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date: _____

Cynthia T. Livingstone, Town Clerk